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82678AF-P
Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

R. Kent
4/22/03

In re Application of:

David L. Patton, et al

AUTHENTICATION USING NEAR-FIELD OPTICAL IMAGING

Serial No. US 09/957,011 ✓

Filed 20 September 2001

Group Art Unit: 3722

Examiner: Willmon Fridie, Jr.

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Lisa DeMunck
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April 4, 2003
Date

Commissioner for Patents
Washington, D.C. 20231

Sir:

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AMENDMENT

In response to the Official Action dated January 15, 2003, applicant respectfully requests reconsideration in view of the following amendments and remarks. Please amend the application as follows.

REMARKS

The Examiner in the Official Action in paragraph 3, rejected claims 1-3 and 5-7 under 35 USC § 103(c) as being unpatentable over Brugada in view of Guerra et al. for the reasons set forth therein. Applicants respectfully submits that the Brugada and/or the Guerra et al. fail to teach or suggest the invention as currently set forth and claimed by applicants.

As applicants have previously noted, the Brugada reference fails to teach or suggest the method of making at least one micro-discreet continuous tone image using near field optics nor the providing of a product in a plurality of micro-discreet continuous toned images having a size no greater than about 20 microns.